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C O N F I D E N T I A L SECTION 01 OF 02 HONG KONG 001816

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DEPARTMENT FOR EAP, EAP/CM
NSC FOR DENNIS WILDER

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SUBJECT: BEIJING BASIC LAW "GUARDIANS" SET CONDITIONS FOR
HONG KONG'S UNIVERSAL SUFFRAGE

Classified By: E/P Section Chief Simon Schuchat; Reasons 1.4 (b,d)

11. (C) Summary: On April 27, the Hong Kong press reported comments by PRC members of the Hong Kong Basic Law Committee at a Beijing forum. Basic Law drafter Xu Chongde challenged the value and usefulness of democracy, while recently appointed Hong Kong Basic Law Committee member and Tsinghua University School of Law Deputy Dean Wang Zhenmin asserted that Hong Kong would not be ready for universal suffrage unless and until six conditions were met, including passage of the "national security" legislation called for in Article 23 of the Basic Law. Hong Kong political leaders have characterized the comments as either tactical political moves or blatant attempts to block achievement of universal suffrage. Financial Secretary Henry Tang told the Consul General that the conditions represented an attempt by Beijing to set the framework for debate on political development in the 2007 Chief Executive (CE) election. Comment: Five of Wang's six conditions are vague and familiar, but specifying a need for Hong Kong to pass the Article 23 national security legislation in order to qualify for universal suffrage is both concrete and, at least this bluntly stated, new. It almost seems like a trade is being proposed. End Summary and Comment.

12. (C) On April 28, several Hong Kong papers accorded front-page coverage to comments by mainland legal experts on the future implementation of universal suffrage and democratization in Hong Kong. Specifically, at a Beijing forum marking the sixteenth anniversary of the promulgation of the Hong Kong Basic Law, Basic Law drafter Xu Chongde challenged the value and usefulness of democracy, noting that elected leaders such as Hitler, Mussolini, and Taiwan's Chen Shui-bian were only "experts at inciting people's emotions." Xu added that there have been few outstanding and talented U.S. Presidents in more than two hundred years of democracy. He believed that universal suffrage could only be introduced in Hong Kong when there was a guarantee that "patriots" would be elected.

Six Conditions

13. (C) At the same forum, Wang Zhenmin, recently appointed Hong Kong Basic Law Committee member and deputy dean of the Tsinghua University School of Law asserted that Hong Kong

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would not be ready for universal suffrage unless and until six conditions were met: first, there must be a community consensus endorsed by Beijing; second, it must be certain that universal suffrage is beneficial to economic development; third, the national security legislation

specified by Article 23 of the Basic Law must be enacted; fourth, there must be sufficient civic education to inspire patriotism; fifth, Hong Kong must enjoy a new "constructive, positive, and cooperative" political culture; and sixth, Hong Kong must have ample time for "adequate ideological preparations" for participatory politics.

Pro-Beijingers Supportive

¶4. (C) Since the press coverage, Hong Kong political leaders have characterized the comments as either tactical political moves or blatant attempts to block achievement of universal suffrage. On the positive side, on April 28 Financial Secretary Henry Tang told the Consul General that the

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reported statements represented an attempt by Beijing to set the framework for the Chief Executive (CE) election in 2007. According to Tang, whoever ran against incumbent CE Tsang could not campaign against either his governance or Hong Kong's economic vitality, so they would be forced to focus on the issues of democracy and political reform. More fundamentally, on April 28 Hong Kong Basic Law Committee member Doctor Raymond Wu told poloff that the "political level" of Hong Kong was "very immature." While mutual understanding between Beijing and Hong Kong has improved significantly, at present neither side adequately understood the other. In that context, the comments by Professor Wang reflected Wang's doubts that universal suffrage would lead to election of the "right" person. Wu personally believed that the concerns expressed by Wang were important and relevant; otherwise, he said, Hong Kong could suffer from a chaotic and inefficient form of democracy similar to that of India.

Democrats Angry

¶5. (C) Various pan-democrats reacted sharply to the comments

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from the Beijing forum, characterizing them as attempts to dampen aspirations for universal suffrage in Hong Kong. On April 29, Legco member Ronnie Tong of the Civic Party observed to the press that there could be no excuse for further delay of universal suffrage, regardless of progress on the "six conditions." On May 2, Hong Kong Democratic Party Vice Chairman Chan King-ming told poloff that the recent comments by PRC Basic Law Committee members reflected the problem that the "people up there" were "not ready to give up power." Chan believed the published comments represented a "very carefully planned and deliberate effort" by the PRC Government, following the March meeting of the NPC and prior to the June 4 anniversary of the 1989 Tiananmen Square suppression, to comment on political developments in Hong Kong. Chan believed that the content of the comments, however, would be perceived as "nonsense" by the people of Hong Kong, whom he said would "not be so stupid as to select (a representative) who could not talk to Beijing."

Cunningham